

[No. 251.]

AN ACT

Regulating Election Districts, and for other purposes.

SECTION 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That from and after the passage of this act, the qualified voters of the township of Cumberland Valley, in the county of Bedford, shall hold their general elections at the new school-house erected on land of the heirs of John Whip, in said township.

Election dist.
Cumberland
Valley town-
ship-Bedford
county.

Centre co.
Walker tsp.

SECTION 2. The qualified voters of the township of Walker, in the county of Centre, shall hold their general and special elections hereafter at the school-house in Hublerburg.

Luzerne co.
Dallas tsp.

SECTION 3. The general and special elections for the township of Dallas, in the county of Luzerne, shall hereafter be held at the public house of Miles C. Orr, in the village of M'Lellonsville, in said township.

Centre co.
Snow Shoe.

SECTION 4. That the electors of Snow Shoe township, Centre county, shall hold their general and township elections at the school-house, which is situated on the Milesburg and Smethport turnpike road, near the roads which leads to Clearfield county, and adjoining the farm of Samuel Askey, in said township.

Adams co,
Menallen tsp.

SECTION 5. That the eighty-eighth section of the act of the general assembly of this commonwealth, entitled "An act regulating election districts, and for other purposes," approved the fourteenth April, one thousand eight hundred and forty," which provides for the removal of the place of holding the general election for the township of Menallen, in the county of Adams, from the place where it had previously been held to the house of Charles Myers, in Bendersville, in said township, be and the same is hereby repealed; and the said election shall hereafter be held at the same place as formerly, to wit: at the public house of John Burkholder, (formerly Miss Hapkes.)

Borough of
Butler to elect
three auditors,
annually

SECTION 6. That in addition to the rights, privileges and powers granted to the borough of Butler, in the county of Butler, by the act entitled an act to incorporate the town of Milton, in the county of Northumberland, and the town of Butler in the county of Butler, into boroughs, it shall be lawful for the qualified voters of said boroughs, at the time and

place of holding the borough election for the year one thousand eight hundred and forty, and annually thereafter, to elect three persons as auditors of the public accounts of said borough, and it shall be the duty of the said auditors within the month of February of every year, for which they shall have been elected to settle and adjust the accounts of the town council and school directors, and make report of the same to the town council, which shall be filed by the clerk of said council, with the books and papers of incorporation, for the inspection of all concerned; and it shall be the duty of the first elected auditors, in the month of April, immediately after their election, to settle and adjust the accounts of the school directors of said borough from the passage of the present general school law up to that time, and make report of the same in the manner above directed.

SECTION 7. That the farms of Philip Hilgard and John Davison, situated within the limits of the borough of Milton, in the county of Northumberland, bounded on the north by lands of David Miller, on the east by lands of Philip Foust, south by lands of Robert H. Hammond, and on the west by the West Branch of the river Susquehanna, &c. containing two hundred and fifty acres, more or less; also the farm of David Miller, now in the occupation of the said David Miller, and John Davison, situated in said borough, bounded on the north by Ferry Alley, in said borough, on the east by the Sodom road, south by land of Philip Hilgard, and west by the West Branch of the river Susquehanna, containing one hundred and fifty four acres and allowance, &c., also the farm of Fleming M. Pollock, situated in said borough, bounded on the north by lands of Alem Marr, on the east by lands of Jacob Hower, John Sample, and John Stadden, on the south by the Washington road, and on the west by the town lots of said borough and the West Branch canal, containing one hundred and thirty acres, more or less, and also the farm of William McCleery, situated as aforesaid, bounded on the north by lands of Alem Marr, on the east by the West Branch canal, south by Locust street, in said borough, and west by the river Susquehanna, containing thirty-five acres and allowance, be and the same are hereby separated, excluded from and taken out of the limits of the said borough of Milton, and attached to and made part of the townships to which they heretofore, to wit: before their annexation to said borough respectively belonged, and that so much of the act incorporating said borough and its supplements as relate to said farms, be and the same are hereby repealed.

Repeal of former acts.

SECTION 8. That at the next annual election for school directors in the different school districts in this commonwealth, it shall be lawful for the qualified citizens residing in the borough of Alexandria, in Porter township, Huntingdon county, to elect a board of school directors from among

Huntingdon co. borough of Alexander to elect board of school directors.

the qualified citizens, as aforesaid; and from and after such election, the said borough of Alexandria shall be and remain a separate and independent school district from said township of Porter, as fully and effectually as if said borough had been originally created an independent school district.

To be a separate school district.
Fayette co.
Franklin tsp.

SECTION 9. That the thirty-seventh section of the act regulating election districts, approved the fourteenth day of April, one thousand eight hundred and forty, be and it is hereby repealed; and the qualified electors of Franklin township, in Fayette county, are hereafter required to hold their general and township elections at the house of John Dunn, in said township.

Lehigh co.
South Whitehall tsp.

SECTION 10. That the township elections in the township of South Whitehall, in Lehigh county, shall hereafter be held at the house of John Sharer, in said township.

Phila. co.
Kingessing township.

SECTION 11. That the electors of the township of Kingessing, in the county of Philadelphia, shall hereafter hold their general elections at the public house, known as the Blue Bell Inn, in said township and county.

Lycoming co.
Limestone drs

SECTION 12. That the general election in the township of Limestone, in the county of Lycoming, shall hereafter be held at the house of Peter Epler, in said township and county.

Lebanon co.
Jackson tsp.

SECTION 13. That the eighty-ninth section of the act entitled "An act regulating election districts, and for other purposes," passed April fourteenth, one thousand eight hundred and forty," be and the same is hereby repealed; and the qualified electors of the township of Jackson, in the county of Lebanon, shall hereafter hold their general election where it was holden before the passage of the above act.

Greene co.
Cumberland tsp.

SECTION 14. That from and after the passage of this act, it shall be lawful for the qualified voters of the township of Cumberland, in the county of Greene, to hold their general election at the house now occupied by James Cain, in Carmichaeltown, in said township.

Phila. co Lake street vacated.

SECTION 15. That Lake street as surveyed and laid down on the plan of the survey of the first division of the Kensington District of the Northern Liberties, in the county of Philadelphia, be and the same is hereby vacated.

Lycoming co.
Limestone tsp
to levy school tax.

SECTION 16. That the directors of the common schools in the township of Limestone, county of Lycoming, be and they are hereby authorized and empowered to levy and collect a tax for common school purposes for the present year, which assessment or levy of said tax may be made at any time previous to the next annual election for directors of common schools in said township. And the election held in said township on the thirteenth day of March last, at which election the qualified citizens of said township determined to accept the provisions of the several acts of Assembly relative to common schools, shall have the same force and effect as if

said acceptance had been agreed upon on the day prescribed by law.

SECTION 17. That the electors of Shrewsbury township, in the county of Lycoming, shall hereafter hold their general election at the house now in the occupancy of John Taylor, twp. in said township.

SECTION 18. That the inhabitants of that part of Columbia township, in Bradford county, lately annexed to Troy township by the court of Quarter Sessions of said county, shall hold their general elections at the place now appointed by law for holding the general elections of the other parts of the said township of Troy.

SECTION 19. That the qualified voters residing within the bounds of Monroe township, in the county of Bedford, shall hereafter hold their general township and special elections at the house of David Evans, in Clearville, in said township.

SECTION 20. That the act of Assembly which formed Sideling Hill Sideling Hill election district, out of the east part of Southampton township, in said county, be and the same is hereby repealed; and the qualified electors residing within the said district, not included in Monroe township, shall hereafter vote at the same place where the other electors of Southampton township hold their general township and special elections.

SECTION 21. That so much of the twenty-sixth section of the act of nineteenth of March, eighteen hundred and thirty-eight, entitled an act to incorporate the Monument Cemetery of Philadelphia, and for other purposes, as restricts the borough constable of the borough of Schellsburg, in the county of Bedford, in the exercise of his powers and duties to the borough of Schellsburg, and the township of Napier, be and the same is hereby repealed; and the said constable of the borough of Schellsburg, shall have, possess and exercise all the powers and duties and jurisdiction, and to the same extent as other constables in the several townships in the county of Bedford, and other counties in this commonwealth.

SECTION 22. That the qualified voters of the borough of Honesdale and Bethany, in the county of Wayne, shall on the third Friday in February next, elect three persons to serve as borough auditors, one to serve one year, one two years, and one three years, and annually thereafter one to serve three years, whose duty it shall be to audit and settle the accounts of the overseers of the poor, of the directors of common schools, and the town council of said borough, and of such other borough officers as may by law be referred to them, and shall have like powers, and be subject to the same restrictions as are now provided by law for the government of the actions of township auditors.

SECTION 23. The electors residing in the borough of Marietta, in the county of Lancaster, shall hereafter hold the elec-

tion, authorized by the act of February 6th, 1815, entitled "an act for the election of a constable in the borough of Marietta, in the county of Lancaster," at the public school house in said borough.

Competency
of witnesses.

SECTION 24. No citizen of the borough of Marietta, in the county of Lancaster, shall be precluded from being a witness in any suit where the corporation is a party, in consequence of his having been assessed or paid a tax in said borough.

Delaware co.
Haverford tp.

SECTION 25. That the electors of the township of Haverford, in the county of Delaware, shall hereafter hold their general and special election at the house of Andrew Steel, in the said township.

Bedford co.
Napier and
Londonderry
tsp.

SECTION 26. That the qualified voters of Napier and Londonderry townships, in Bedford county, residing within the following bounds, viz: beginning at the top of Kinton's Knob, on the Bedford and Napier township line; thence to the bridge south of John Kinton's; thence up the Raystown branch to John Mowrey's farm; thence up the Dry run to the Somerset county line, so as to include John Kelly's farm; thence along said line to the dividing ridge in Londonderry township, between Tarwater run and Wolf's Camp run, and thence from the point of the ridge, at Adam Smith's farm to Swaggert's Gap, to the Napier line, so as to include John Kellerman's house, and exclude the house of Jacob G. Devore, and thence along the Napier township line to the place of beginning, shall hereafter hold their elections at the school house west of John Metzgar's.

Dauphin co.
Lower Swatara
tsp. to form
part of Swatara.

SECTION 27. That that part of Lower Swatara township, in the county of Dauphin, north of straight lines to be run by the supervisors of the townships of Swatara and Lower Swatara, at the expense of said townships, commencing at the residence of Daniel Smith; thence to Peter Roop's; thence to Christian Good's fulling mill, and thence to the residence of Samuel Neidig's, shall hereafter form a part of Swatara township, that the election of school directors elected in the township of Swatara; on the third Friday in March last, is hereby made legal, and that so much of the resolution passed on the eighteenth day of March, one thousand eight hundred and forty, as is hereby altered is repealed.

Repeal.

Bedford co.
McConnells-
burg borough.

SECTION 28. That the school directors of the McConnellsburg borough school district, in Bedford county, may lay a tax for school purposes, at any time before the first day of August next, if they think proper, to have the same effect and be collected in the same manner as if the tax had been laid in every respect, as is directed to be pursued in the school laws of this commonwealth.

Susquehanna
co. Rush tsp.

SECTION 29. That the general elections in the township of Rush, in the county of Susquehanna, shall hereafter be held at the house of Alanson Lung, in said township and county.

SECTION 30. That the general elections in the township of Luzerne co. Huntingdon, in the county of Luzerne, shall hereafter be held at the counting house of George Bowman, in said township and county. Huntingdon township.

SECTION 31. That the territory contained within the following boundaries, in the township of Lykens, in the county of Dauphin, shall hereafter form a separate school district, viz: Commencing on the Wisconsin township line to a point where a line drawn due east from the dwelling house of Jacob Laudenslager strikes the same; thence running north-eastwardly to the dwelling house of George Meyer, including the same; from thence in a line westwardly to Jacob Kissinger's buildings, including the same; from thence west, bearing southwardly to Christian Esterling's dwelling house, including the same; from thence south-westwardly to Michael Wilver's dwelling house, including the same; from thence south to the Wisconsin township line, to the first mentioned point; which said district shall be subject to, and receive all the benefits from the laws now in force relative to common schools. Dauphin co. Lykens tsp. Boundaries.

SECTION 32. All that part of Rockhill township, in the county of Bucks, lying east of the point in the township line between the township of Hilltown and Rockhill, in a direct line with the road leading past Jacob Dill's farm, to the Branch road in said Rockhill township; thence along said road in a north-western direction, to the Ridge road; thence northwardly in a straight line until it strikes the township line in the road between the said township of Rockhill and the township of Richland, directly opposite the house of Abraham Heller, of said Richland township, is hereby erected into a separate election district, to be called "East Rockhill," and to hold their general election at the public house now occupied by Jacob Worman; and all the laws heretofore passed in relation to the boundary line of East Rockhill, be and the same are hereby repealed. Bucks co. part of Rockhill tp. to be called East Rockhill. Repeal of former acts.

SECTION 33. The commissioners named in the fifth section of the act entitled "An act to provide for the repairs, and to continue the improvements of the State, and for other purposes," passed April fourteenth, one thousand eight hundred and thirty-eight," or appointed agreeably to said act; to receive and expend the money appropriated by said section to improve the State road laid out in pursuance of the seventh section of the act entitled "An act relative to the laying out of a certain State road from Currinsville, Clearfield county, through the towns of Indiana and Saltzburg, in Indiana county, and through Westmoreland county to East Liberty, in Allegheny county, and for laying out certain other State roads, and for other purposes," passed April sixteenth, one thousand eight hundred and thirty-eight," who have received the said Commrs. named in 5th section of act of 14th April 1838 to perform certain duties.

appropriation, or any part thereof, are hereby directed and required, within thirty days after demand, to pay five hundred dollars of the amount of the said appropriations to Joseph Thomas, Henry Kerr, and Levy Roberts, to be by them expended in improving that part of said State road lying within the county last mentioned in the said seventh section, or paid and appropriated in such manner, and for such purposes as may be directed by law; and in case the said commissioners shall neglect or refuse to pay the said five hundred dollars of the amount of the said appropriation, as herein directed, the same may be recovered from the said commissioners, or such of them as have received the same, or any part thereof, by the persons hereby appointed to receive the same, in the same manner as debts of the same amount are recoverable; and so much of said acts as are hereby altered or supplied, are hereby repealed.

To whom to be paid.

Penalty.

How recovered.

Former acts repealed.

Canal com'rs. to examine claim of John Webster for damage done by fire &c.

Authority to purchase dwelling house for collector.

Assent of Pa. to act of Ohio. Gov. of Pa. to appoint one director of Ohio two.

State Library \$400 appropriated.

SECTION 34. The Canal Commissioners are hereby authorized and required to examine into the condition and situation of the barn of John Webster, situate in Downingtown, Chester county, near the Philadelphia and Columbia rail road, and also his dwelling-house near the same, and if they shall be opinion that the said barn is liable to injury or destruction by fire from the locomotives running on said road, they are hereby authorized to remove and rebuild the same at a proper distance from said road, or contract with the said John Webster to remove and rebuild said barn, for such sum as they may think right; and the expense of such removal and rebuilding shall be paid out of the damage fund, and if a building is necessary for an office or a dwelling-house for the collector at Downingtown, and the said commissioners, if they are of the opinion that the said dwelling-house would be suitable for said purposes, they are hereby authorized to purchase the same for the purpose aforesaid, if the parties can agree on the price, and take a conveyance for the use of the commonwealth, and the purchase money shall be paid out of the damage fund.

SECTION 35. The assent of the State of Pennsylvania is hereby given to the provisions of the first section of the act of the Legislature of the State of Ohio, entitled an act to regulate elections in rail road, turnpike, and slack water navigation companies, where the State is a stockholder, and the Governor of the commonwealth of Pennsylvania is hereby authorized, annually, to appoint one director; and the Governor of the State of Ohio two directors, in the Pennsylvania and Ohio canal company; and the Governor of this state shall transmit a certified copy of this section to the Governor of the State of Ohio.

SECTION 36. The sum of four hundred dollars is hereby appropriated to the use of the State Library to purchase fix-

ures and furniture for the same, to be paid by warrants drawn on the State Treasurer in the usual manner.

SECTION 37. The State Treasurer is hereby required to pay to the Secretary of the Commonwealth the sum of one hundred and ninety-five dollars, the amount due to him for expenses incurred in printing and distributing the election laws, and the said treasurer is hereby also authorized and required to pay the deficit in the contingent fund of the office of the Secretary of the Commonwealth, for the year ending April first, one thousand eight hundred and forty, amounting to sixteen hundred and seventy eight dollars and ten cents.

State treasurer to pay secretary of com'lth. expenses of printing election laws. To pay deficit contingent funds.

SECTION 38. The sum for clerk hire in the office of the Secretary of the Commonwealth shall be eight hundred dollars in addition to the sum now provided by law, to enable him to employ an additional clerk in said office.

\$800 for clerk hire secretary's office.

SECTION 39. That the equity jurisdiction of the Supreme court, within the city and county of Philadelphia, and of the court of Common Pleas for said county, shall be extended to all cases arising in said city and county, over which courts of Chancery entertain jurisdiction on the grounds of fraud, accident, mistake or account.

Equity, jurisdiction of Supreme Court & Court of Common Pleas in the city & co. of Phila. extended.

SECTION 40. That the time fixed by the third section of the act, entitled an act to incorporate the President and Managers of the Uniontown and New Alexandria Turnpike Road company, passed 2d July, 1839, for organizing said company, be and the same is hereby extended until the first day of September, one thousand eight hundred and forty one.

Time extended for organizing Uniontown & New Alexandria turnpike com.

SECTION 41. That so much of the twenty-sixth section of an act, passed the sixteenth day of April, one thousand eight hundred and thirty-eight, a supplement to the act, entitled an act to erect Shirleysburg, in the county of Huntingdon, New Hope in the county of Bucks, and Hamburg in the county of Berks, into boroughs, and for other purposes, as provides that no ship or vessel arriving from any port in the United States, at the port of Philadelphia, shall be subject to detention at the Lazaretto, unless the Board of Health and Board of Wardens, in joint meeting, shall have determined that the port or place is infected with malignant, contagious disease, be and the same is hereby repealed.

Part of 26th section of act of 16th April 1838 repealed

WM. HOPKINS,

Speaker of the House of Representatives.

EB. KINGSBURY, Jr.

Speaker of the Senate.

APPROVED—The thirteenth day of June, one thousand eight hundred and forty.

DAVID R. PORTER.